



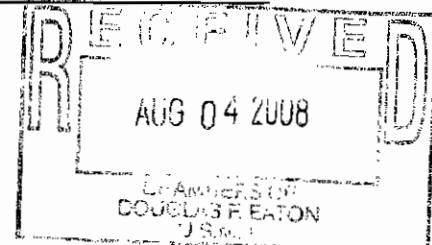
U.S. Department of Justice

United States Attorney
Southern District of New York

MEMO ENDORSED

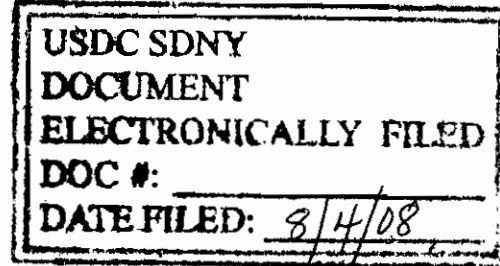
86 Chambers Street, 3rd Floor
New York, New York 10007

August 1, 2008



BY HAND

The Honorable Douglas F. Eaton
United States Magistrate Judge
United States Courthouse
500 Pearl Street
New York, New York 10007



Re: Romero v Federal Metropolitan Correctional Center, et al.,
08 Civ. 5278 (VM) (DFE)

Dear Judge Eaton:

This Office represents the Metropolitan Correctional Center and the Federal Bureau of Prisons (the “Government”) in the above-referenced case, a Federal Tort Claims Act suit brought by pro se prisoner Christopher Romero.¹ I write, at the request of Your Honor’s chambers, to confirm that the due date listed on the docket sheet for the Government’s answer – July 29, 2008 – is incorrect. Pursuant to Federal Rule of Civil Procedure 12(a)(2), the United States has sixty days after service of a complaint on the United States Attorney to serve an answer to the complaint. This Office received plaintiff’s complaint on July 9, 2008. Accordingly, the Government’s time to answer or otherwise respond to plaintiff’s complaint does not run until September 8, 2008.

8/4/08 - I hereby confirm that the deadline for any defendant to answer or otherwise respond to Mr. Romero's Complaint is September 8, 2008.

Douglas F. Eaton

¹ The complaint also purports to sue “Federal Correctional Officer Dupree.” This Office has not yet received authorization to represent this individual, and thus does not appear, at this time, on his or her behalf.

We thank the Court for its consideration of this matter.

Respectfully,

MICHAEL J. GARCIA
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